

## REMARKS

### Claim Status/Support For Claim Amendment

Claim 1 has been amended. Claims 2-35 have been canceled. Claims 36-43 have been added. Claims 1 and 36-43 are pending in the instant application.

No new matter has been added by the amendments to the specification.

Typographical errors have been corrected.

A substitute Sequence Listing has been entered and sequence identification numbers have been added as necessary within the text of the disclosure in accordance with 37 CFR 1.821-1.825.

A protocol in the experimental section of the detailed description has been amended to properly identify the trademark SEPHAROSE.

The abstract has been amended to remove the legal phraseology ("said").

No new matter has been added by the amendment to claim 1. The amendment to claim 1 has been made for the purpose of indicating that the claimed biopolymer marker peptide is "isolated" and thus not a product of nature (see page 31, lines 9-12). The amendment to claim 1 also incorporates the subject matter of canceled claim 2.

No new matter has been added by the addition of new claims 36-43. The subject matter of new claims 36-43 corresponds to the

subject matter of canceled claims 2-35. The above additions to the claims also find basis in the original disclosure at page 12, lines 2-12; page 17, lines 7-14; page 18, lines 5-7 and page 27, line 17 to page 28, line 2. The method of claims 36-40 is described in detail at pages 20-27. Page 28, line 11 to page 29, line 7 refers to the use of various types of samples and their measurement. Figure 1 shows data derived when using the claimed method on samples obtained from a human patient. Page 28, line 3 to page 33, line 2 describes kits and their contents contemplated for use with the claimed methods. It is clear from these specific recitations and from the description of methods utilized that the methods and types of kits were fully contemplated by the inventors at the time of filing and were enabled by virtue of the disclosure as originally filed.

#### **Sequence compliance**

Applicants acknowledge the withdrawal of the previous Notice, mailed on October 9, 2001. The corrected Notice, mailed on October 2, 2003, states that the instant application clearly fails to comply with the requirements of 37 CFR 1.821-1.825.

Applicants have now reviewed the entire specification including the figures and the claims for sequence disclosures. The only sequence found to be disclosed is the amino acid sequence identified as SEQ ID NO:1. SEQ ID NO:1 is shown in both of the

figures and in the original disclosure at page 27, line 18. Page 27, line 18 is amended herein to include the sequence identification number. The Brief Description of the Figures section of the specification is amended herein to include sequence identification numbers.

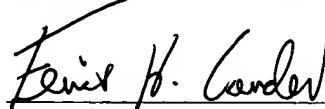
The Notice, mailed by the Office on October 2, 2003, states that Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disk copy of the "Sequence Listing" as well as an amendment directing its entry into the application. Applicants respectfully submit that both the computer readable form (CRF) and the paper copy of the Sequence Listing, as well as an amendment directing its entry into the application were filed on April 19, 2002. In the event that the originally filed Sequence Listing has been misplaced, Applicants submit herewith a substitute computer readable form (CRF) and a substitute paper copy of the Sequence Listing, as well as an amendment directing its entry into the application. The substitute Sequence Listing, in both computer-readable and paper forms, is identical to the previously filed Sequence Listing; it is meant only to be a replacement copy. Thus, no new matter is added with the filing of the substitute Sequence Listing. The computer readable form of the substitute Sequence Listing is identical to the paper copy of the substitute Sequence Listing. Accordingly, Applicants respectfully submit that the instant

application is now in compliance with 37 CFR 1.821 through 1.825.

### CONCLUSION

In light of the foregoing remarks, amendments to the specification and amendments to the claims, it is respectfully submitted that Applicants are now in compliance with the requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures. Thus, an examination on the merits is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ferris H. Lander", is written over a horizontal line.

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